

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

PROFESSIONAL DRUG CO., INC.,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

Civ. A. No. 1:11-cv-196-LG-RHW

WYETH, INC.,

Defendant.

STIPULATION

Plaintiffs Professional Drug Company, Inc., Stephen L. LaFrance Holdings, Inc., Stephen L. LaFrance Pharmacy, Inc., and Rochester Drug Co-Operative, Inc. and Defendant Wyeth, Inc. hereby jointly submit this Stipulation and separate Proposed Order regarding consolidation of related cases and the filing of amended and responsive pleadings.

Recitals

1. On June 7, 2011, Plaintiff Professional Drug Company, Inc. filed its Motion to Consolidate the following three pending actions: *Professional Drug Company, Inc. v. Wyeth, Inc.*, Case No. 1:11-cv-196-LG-RHW (“Professional Drug Company”); *Stephen L. LaFrance Holdings, Inc. and Stephen L. LaFrance Pharmacy, Inc. d/b/a SAJ Distributors v. Wyeth, Inc.*, Case No. 1:11-cv-199-HSO-JMR (“SAJ”); and *Rochester Drug Co-Operative, Inc. v. Wyeth, Inc.*, Case No. 1:11-cv-221 HSO-JMR (“Rochester Drug”).

2. The parties have met and conferred, and all parties to the above-referenced actions do not object to consolidation.

3. If the Court grants the Motion to Consolidate, the parties have agreed and they ask the Court to allow Plaintiffs to file a single, amended and consolidated complaint that will supersede the complaints in the three pending cases and to grant Defendant an extension to August 1, 2011, to answer or otherwise respond to the amended consolidated complaint. Defendant currently does not anticipate requiring an additional extension of the deadline to respond to Plaintiffs' complaint. However, in the event additional complaints are filed involving common questions of law or fact with the cases referenced above, the parties will meet and confer to discuss any appropriate adjustments or other actions in response.

4. Defendant does not object to Plaintiffs' request for the appointment of Interim Liaison Counsel. Defendant reserves all of its rights and remedies with respect to any future request for consolidation or the treatment of any case subsequently filed in this Court.

Stipulation

Subject to the forgoing, Plaintiffs and Defendant, by and between their counsel below, stipulate and agree that:

1. The Court may consolidate the above-referenced cases.
2. Plaintiffs will file an amended consolidated complaint by June 22, 2011.
3. Defendant will respond to the amended consolidated complaint by August 1, 2011.

IT IS SO STIPULATED AND AGREED:

Dated: June 20, 2011

Respectfully submitted,

WATKINS & EAGER

/s Robert H. Pedersen

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